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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,453	09/08/2003	Elena Mate	1376-0200620	9810

34456 7590 10/09/2007  
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AUSTIN, TX 78730

EXAMINER
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WENDMAGEGN, GIRUMSEW

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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10/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/657,453	<b>Applicant(s)</b> MATE ET AL.	
	<b>Examiner</b> Girumsew Wendmagegn	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 21-46 is/are rejected.
- 7) ☒ Claim(s) 19 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claim1-2, 4, 6-7,10-18,21,25,31-32,35-46** is rejected under 35 U.S.C. 102(b) as being anticipated by Kashiwagi et al (Patent Number US 5,923,869).

Regarding claim1, 32, 43, 46, Kashiwagi et al (hereinafter Kashiwagi) anticipates a method comprising: receiving a video stream at an information handling system at a first rate, wherein the video stream is a broadcast video stream (see figure2 st1, st2 and st3); and editing at least a portion of the video stream at the information handling system to generate an edited video stream, wherein the editing is based on characteristics of the video stream (see column7 line60-column8 line1-3); and wherein editing occurs in real-time relative to a user's perspective of receiving the video stream (see column12 line 45-50).

Regarding claim2, Kashiwagi anticipates the method of claim1, wherein the characteristics of the video stream include information within the video stream (see column7 line60-column8 line1-3)

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Regarding claim4, Kashiwagi anticipates the method of claim 1, wherein the characteristics of the video stream include information from other than the video stream (see column7 line60-column8 line1-3).

Regarding claim6, Kashiwagi anticipates the method of claim1, wherein the characteristics of the video stream include information from a user action that modified the video stream (see column7 line53-55).

Regarding claim7, Kashiwagi anticipates the method of claim6, wherein the user action is a channel change (see column7 line60-column8 line1-3)

Regarding claim10, Kashiwagi anticipates the method of claim1, further comprising: saving the edited video stream; wherein the saving occurs in real-time relative to the user's perspective of the receiving the video stream (see column10 line22-27).

Regarding claim11, Kashiwagi anticipates the method of Claim 1, further comprising: displaying the video stream in real time relative to a users perspective of receiving the video stream (see column7 line 53-55).

Regarding claim12, Kashiwagi anticipates the method of claim1, further comprising: displaying the edited video stream in real time relative to a users perspective of receiving the video stream (see column7 line 53-59).

Regarding claim13, 39, Kashiwagi anticipates the method of claim1, wherein editing comprises modifying the video stream based on selected editing options (see column7 line 53-55; based on scenario).

Regarding claim14, Kashiwagi anticipates the method of Claim 13, further comprising: determining the selected editing options based upon user input (see column7 line 41-52).

Regarding claim15, Kashiwagi anticipates the method of Claim 14, wherein determining the selected editing options based upon user input comprises the user selecting one or more editing options from a plurality of predefined editing options (see column7 line 41-52).

Regarding claim16, the method of Claim 13, further comprising: determining the selected editing options based on a source of the video stream (see column7 line41-60).

Regarding claim17, the method of Claim 16, wherein the selected editing options comprise a first set of editing options when the source of the video stream is a first source, and the selected editing options comprise a second set of editing options when the source of the video stream is a second source (see column7 line41-60).

Regarding claim18, Kashiwagi anticipates the method of Claim 13, wherein the editing further comprises: determining, by the information handling system, a characteristic of the video stream (see column7 line 55-59); and selecting predefined editing information based on the characteristic (see column7 line 55-59).

Regarding claim21, the method of Claim 18, wherein the selected editing options comprise a first set of editing options when the characteristic indicates the video stream is associated with a content type (see column7 line52-60).

Regarding claim25, Kashiwagi anticipates a method comprising: providing a plurality of predefined editing options to a user (see column7 line 41-44); receiving a set of selected editing options from a user, wherein the selected editing options is a subset of the predefined editing options (column7 line 41-44); receiving a first stream of video see column7 line49-52); applying the set of selected editing options to the first stream of video to obtain an edited stream of video, wherein the applying is based on characteristics of the video stream; and storing the edited stream of video in real time relative to the user's perception of receiving the first stream of video (see column7 line 42-52).

Regarding claim31, the method of Claim 25, wherein the plurality of predefined editing options comprises content specific options (see column7 line 52-60).

Regarding claim35, Kashiwagi anticipates the method of claim32, wherein the utilizing comprises: displaying and storing the edited video stream (see column7 line 53-55; column10 line 22-27).

Regarding claim36, Kashiwagi anticipates the method of claim 32, wherein the utilizing comprises: storing the edited video stream (see column10 line22-27).

Regarding claim37, Kashiwagi anticipates the method of claim32, wherein the utilizing comprises: displaying the edited video stream (see column7 line 53-55).

Regarding claim38, Kashiwagi anticipates the method of Claim 32, wherein the video stream is streaming video (see column10 line 22-27).

Regarding claim40, Kashiwagi anticipates the method of claim 39, further comprising: determining the selected editing options based upon user input (see column10 line 22-27, user defined scenario).

Regarding claim41, Kashiwagi anticipates the method of Claim 39, further comprising: determining the selected editing options based on a source of the video stream (see column7 line52-60).

Regarding claim42, Kashiwagi anticipates the method of Claim 39, wherein the editing further comprises: determining a characteristic of the video stream; and selecting the selected editing options based on the characteristic (see column7 line52-60).

Regarding claim44, Kashiwagi anticipates the editing system of Claim 43, further comprising: a user interface configured to receive user input (see column7 line52-60 keyboard, mouse); and an edit control module coupled to the user interface, the edit options database, and the video graphics module, the edit control module configured to select another set of predefined editing options based on the user input (see figure2 element 100 and 200).

Regarding claim45, Kashiwagi anticipates the editing system of Claim 43, wherein the video stream is a broad cast video stream and the video graphics module is configured to edit the video stream in real- time as the video stream is received (see column12 line 45-50).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



**Claim3, 5, 8-9, 22- 24,26-30 and 33-34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwagi et al (Patent Number US 5,923,869).

Regarding claim3, see the teaching of Kashiwagi above. Kashiwagi does not teach the information within the video stream is a station logo. However it is old and well known in the art to include station logo within the video stream. Therefore official notice is taken.

One of ordinary skill in the art at the time the invention was made would have been motivated to include station logo within the video stream of Kashiwagi because the logo would allow the user to identify the channel easily.

Regarding claim5, see the teaching of Kashiwagi above. Kashiwagi does not teach the information from other than the video stream is from a television guide database. However it is old and well known in the art to use television guide database for editing purpose.

One of ordinary skill in the art at the time the invention was made would have been motivated to use television guide database to get information to use it for editing because the guide is readily available and accessible.

Regarding claim8, 26, 33, see the teaching of Kashiwagi above. Kashiwagi does not teach editing includes applying a special effect to the video stream. However it is

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old and well known in the art to apply special effect to the video stream. Therefore official Notice is taken.

One of ordinary skill in the art at the time the invention was made would have been motivated to apply special effect to the video stream of Kashiwagi because it would make the video much more enjoyable.

Regarding claim 9, 22- 24, 27-30,34, see the teaching of Kashiwagi above. Kashiwagi does not teach the method of claim 8, wherein the special effect includes one or more of removing a logo, implementing a page turning special effect, implementing a fading effect, removing noise, selection of noise filtering, and selection of quality filtering. However it is old and well known in the art to perform one of removing a logo, implementing a page turning special effect, implementing a fading effect, removing noise, selection of noise filtering, and selection of quality filtering.

One of ordinary skill in the art at the time the invention was made would have been motivated to apply special effect such as removing a logo, implementing a page turning special effect, implementing a fading effect, removing noise, selection of noise filtering, and selection of quality filtering to the video stream of Kashiwagi because it would increase the quality of the video.

Therefore, the invention as a whole would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

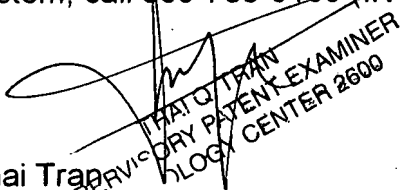
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**Claim 19-20** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmagegn whose telephone number is 571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
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